



#3

PATENT

Atty. Docket No. PP16022.004

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHODS OF PROTEIN PURIFICATION AND RECOVERY**

the specification of which (check one)    is attached hereto   X   was filed on October 25, 2001, as Application Serial No. 10/035,420, and was amended on    (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
Number	Country	Day/Month/Year Filed	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application		Status
<u>Serial No.</u>	<u>Filing Date</u>	<u>Patented, Pending, Abandoned</u>
60/243,965	October 27, 2000	Abandoned
60/282,607	April 9, 2001	Pending
60/330,375	October 18, 2001	Pending

I hereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Sidney N. Wolfe

Inventor's signature 

Date 06-Mar-02

Residence Lafayette, California

Citizenship U.S.A.

Post Office Address 3024 Bradbury Drive, Lafayette, California 94549

Full name of second inventor Bret A. Shirley

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence Waltham, California

Citizenship U.S.A.

Post Office Address 63 Wheelock Road, Waltham, Massachusetts 02453

Full name of third inventor Susan Babuka

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence Oakland, California

Citizenship U.S.A.

Post Office Address 1833 Brandon Street, Oakland, California 94601

Full name of forth inventor Dennis Fordham

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence Richmond, California

Citizenship U.S.A.

Post Office Address 6580 Arlington Blvd, Richmond, California 94805

Full name of sole or first inventor Sidney N. Wolfe

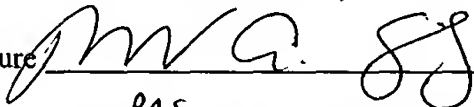
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Lafayette, California

Citizenship U.S.A.

Post Office Address 3024 Bradbury Drive, Lafayette, California 94549

Full name of second inventor Bret A. Shirley

Inventor's signature  Date 04 March 2002

Residence Waltham, <sup>MA</sup> Massachusetts

Citizenship U.S.A.

Post Office Address 63 Wheelock Road, Waltham, Massachusetts 02453

Full name of third inventor Susan Babuka

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Oakland, California

Citizenship U.S.A.

Post Office Address 1833 Brandon Street, Oakland, California 94601

Full name of forth inventor Dennis Fordham

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Richmond, California

Citizenship U.S.A.

Post Office Address 6580 Arlington Blvd, Richmond, California 94805

Full name of sole or first inventor Sidney N. Wolfe

Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Lafayette, California

Citizenship U.S.A.

Post Office Address 3024 Bradbury Drive, Lafayette, California 94549

Full name of second inventor Bret A. Shirley

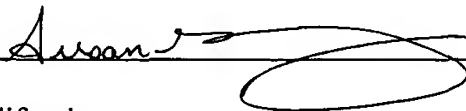
Inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Waltham, California

Citizenship U.S.A.

Post Office Address 63 Wheelock Road, Waltham, Massachusetts 02453

Full name of third inventor Susan Babuka

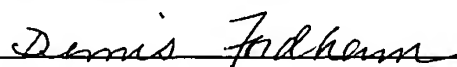
Inventor's signature  Date 3/1/02

Residence Oakland, California

Citizenship U.S.A.

Post Office Address 1833 Brandon Street, Oakland, California 94601

Full name of forth inventor Dennis Fordham

Inventor's signature  Date 01 March 02

Residence Richmond, California

Citizenship U.S.A.

Post Office Address 6580 Arlington Blvd, Richmond, California 94805

Full name of fifth inventor Irina Esikova

Inventor's signature

*Irina Esikova*

Date

*3/3/02*

Residence Fremont, California

Citizenship U.S.A.

Post Office Address 37914 Lavender Common, Fremont, California 94536



PATENT  
U.S. Serial No. 10/035,420  
Attorney Docket No. PP16022.004

I hereby certify that this paper is being deposited in the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231-0001, on March 25, 2001.

Amanda D. Wilcox  
Amanda D. Wilcox

March 25, 2002  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: SIDNEY N. WOLFE et al.

Serial No.: 10/035,420

Group: Unassigned

Filed: October 25, 2001

Examiner: Unassigned

Title: METHODS OF PROTEIN PURIFICATION AND RECOVERY

**POWER OF ATTORNEY FOR PATENT APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231-0001

Sir:

As assignee of record of the above-identified application, I hereby appoint the following as my attorneys or agents with full power of substitution to prosecute this application and transact all business in the patent office connected therewith:

**Comprising Chiron Corporation, Emeryville, CA:**

Robert P. Blackburn	Reg. No. 30,447	Joseph H. Guth	Reg. No. 31,261
Alisa A. Harbin	Reg. No. 33,895	Charlene A. Launer	Reg. No. 33,035
David P. Lentini	Reg. No. 33,944	Kimberlin L. Morley	Reg. No. 35,391
Lisa A. Alexander	Reg. No. 41,476	Anne S. Dollard	Reg. No. 43,935
Rebecca M. Hale	Reg. No. 45,680		

**Comprising the firm of Alston & Bird, Raleigh, North Carolina:**

1.	Anderson, J. Scott	P48,563
2.	Arroyo, Blas P.	31,319
3.	Atkinson, William M.	33,070
4.	Barnhardt, III, John J.	28,686

5.	Bell, Paul B.	16,472
6.	Bradley, Kirk T.	46,571
7.	Brient, Scott E.	44,561
8.	Broyles, Keith E.	42,365
9.	Capria, Mary (Technology Group DC)	32,659
10.	Carlin, Gregory	45,607
11.	Chisholm, Patricia L.	45,822
12.	Connor, Michael S.	34,141
13.	Cooper, Jason P.	38,114
14.	Coulter, Kathryn L. (Agent)	45,889
15.	Cunningham, Robert B.	39,647
16.	Edwards, James C.	44,667
17.	Elderkin, Charles B.	24,357
18.	Elsevier, Patrick	44,668
19.	Fiechtl, Rebecca M. (Agent)	47,561
20.	Fry, John P.	35,874
21.	Gibson, Floyd A.	19,568
22.	Gosnell, Guy R.	34,610
23.	Griffin, III, Malvern U.	38,899
24.	Gronholm, Gregory	32,415
25.	Hamann, John	45,527
26.	Haynes, John D.	44,754
27.	Henry, Leslie T. (Agent)	45,714
28.	Higgins, John P.	40,645
29.	Hill, Jr., Donald M.	40,646
30.	Humphrey, Christopher M.	43,683
31.	Jones, Larry C.	30,071
32.	Krasnow, David M.	34,203

33.	Kron, Eric J.	45,941
34.	Lawson, Lance A.	44,862
35.	Layton, Jr., Samuel G.	22,807
36.	Linker, Jr., Raymond O.	26,419
37.	Lipscomb, III, Ernest B.	24,733
38.	Lueders, Spencer G.	45,915
39.	Lupo, Dickson M.	34,864
40.	Lyn, Kevin R.	42,818
41.	McClelland, Todd S.	44,915
42.	McCoy, Michael D.	28,098
43.	McDermott, Richard M.	40,720
44.	Meunier, Andrew T.	40,726
45.	Moore, Cathy R.	45,764
46.	O'Brien, Kevin A.	46,106
47.	Parker, Kimberly H.	47,843
48.	Pedigo, Paul F.	31,650
49.	Pendleton, Melissa B.	35,459
50.	Prince, Edward M.	22,429
51.	Ransom, W. Kevin	45,031
52.	Rose, Bruce J.	37,431
53.	Silverio, William R.	45,383
54.	Spence, Andrew	45,699
55.	Spruill, W. Murray	32,943
56.	Sullivan, Jr., John L.	29,593
57.	Taulbee, George M.	35,704
58.	Teske, David	38,337
59.	Thorne, Leigh W.	47,992
60.	Ward, III, Henry B.	42,212




61.	Wasleff, John A.	36,047
62.	Williamson, Kelly J. (Agent)	47,179
63.	Wilson, J. Mark	45,226
64.	Winborne, George O.	43,277
65.	Witherspoon, James A.	36,723
66.	Young, Jeffrey	28,490
67.	Young, J. Scott	45,582

Please direct all telephone calls regarding this application to W. Murray Spruill at Alston & Bird Law Firm: Telephone (919) 862-2200; Facsimile (919) 862-2260.

Address for ALL Correspondence:

Chiron Corporation  
Intellectual Property  
P.O. Box 8097  
Emeryville, CA 94662-8097

CHIRON CORPORATION

By:   
Charlene A. Launer  
Assistant Secretary

Dated this 25 day of March, 2002.

# ASSIGNMENT RECORDATION FORM COVER SHEET *Patents Only*

<b>To the Honorable Commissioner of Patents and Trademarks:</b> Please record the attached original documents or copy thereof.		Attorney Dkt. No.: PP16022.003 (35784/239425)	
1. Name of conveying party(ies):  Sidney Wolfe Irina Esikova Susan Babuka Bret A. Shirley Dennis Fordham	2. Name and address of receiving party(ies):  Chiron Corporation 4560 Horton Street Emeryville, CA 94608		
Additional name(s) of conveying party(ies) attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Additional name(s) & address(es) attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
3. Nature of conveyance:  <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>March 8, 2002; March 5, 2002;</u> <u>March 1, 2002; February 28, 2002; March 1, 2002</u>			
4. Application No. <u>60/330,375</u> Patent No. ____  If this document is being filed together with a new application, the execution date of the application is: ____  Additional numbers attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
5. Name and address of party to whom correspondence concerning document should be mailed:  <b>ALSTON &amp; BIRD LLP</b> Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000	6. Total number of applications and patents involved:  <div style="text-align: center; font-size: 1.2em;">1</div>		
		7. Total fee (37 CFR 3.41) <u>\$40.00</u> , <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to deposit account	
		8. Deposit account number: 16-0605	
DO NOT USE THIS SPACE			
9. Statement and signature: <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i>  <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <u>Leslie T. Henry</u>            Name of Person Signing: Leslie T. Henry            Reg. No. 45,714         </div> <div style="width: 45%; text-align: right;"> <u>March 13, 2002</u>            Date         </div> </div>			
Total number of pages including cover sheet, attachments, and document: 8			

RTA01/2113432v1

COPY ONLY  
DO NOT FORWARD  
TO  
ASSIGNMENT BRANCH

## ASSIGNMENT

THIS ASSIGNMENT, made by us, Sidney Wolfe, citizen of the United States of America, residing at 3024 Bradbury Drive, Lafayette, CA 94545; Irina Esikova, citizen of the United States of America, residing at 37914 Lavender Common, Fremont, CA 94536; Susan Babuka, citizen of the United States of America, residing at 1833 Brandon Street, Oakland, CA 94601; Bret A. Shirley, citizen of the United States of America, residing at 63 Wheelock Road, Waltham, MA 02453, and Dennis Fordham, citizen of the United States of America, residing at 6580 Arlington Blvd., Richmond, CA 94805, respectively;

WITNESSETH: That,

WHEREAS, we are the joint inventors of certain new and useful improvements in METHODS OF PROTEIN PURIFICATION AND RECOVERY for which a PROVISIONAL application for United States Letters Patent has been filed in the United States Patent and Trademark Office October 18, 2001, Application No. 60/330,375, and

WHEREAS, CHIRON CORPORATION, a Delaware corporation having a principal place of business at 4560 Horton Street, Emeryville, CA 94608, hereinafter referred to as assignee, is desirous of acquiring the entire right, title and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignee, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, divisions, or non-provisionals claiming priority thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues or extensions thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignee, its successors and assigns, as fully

COPY ONLY  
DO NOT FORWARD  
TO  
ASSIGNMENT BRANCH

and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to bind our heirs, legal representatives, and assigns promptly to communicate to said assignee or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignee, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignee complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignee, its successors, assigns, and other legal representatives.

COPY ONLY  
DO NOT FORWARD  
TO  
ASSIGNMENT BRANCH

Date March 8, 2002

Sidney Wolfe  
Sidney Wolfe

State of California

County of Alameda

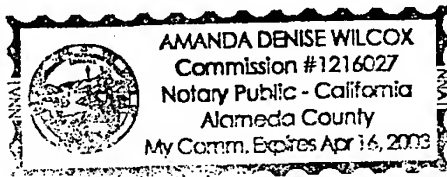
I, Amanda Denise Wilcox, a Notary Public for said County and State, do hereby certify that Sidney Wolfe personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 8<sup>th</sup> day of March, 2002.

(Official Seal)

Amanda Denise Wilcox  
Notary Public

My commission expires April 16, 2003



COPY ONLY  
DO NOT FORWARD  
TO  
ASSIGNMENT BRANCH

3/5/02  
Date

Irina Esikova  
Irina Esikova

State of California

County of Santa Clara

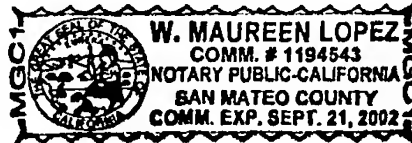
I, W. Maureen Lopez, a Notary Public for said County and State, do hereby certify that Irina Esikova personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 5<sup>th</sup> day of March, 2002.

(Official Seal)

W. Maureen Lopez  
Notary Public

My commission expires 9/21/02



COPY ONLY  
DO NOT FORWARD  
TO  
ASSIGNMENT BRANCH

51102  
Date

State of

California

County of

Alameda

  
Susan Babuka

I, Amanda Denise Wilcox a Notary Public for said County and State, do hereby certify that Susan Babuka personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 1<sup>st</sup> day of March, 2002.

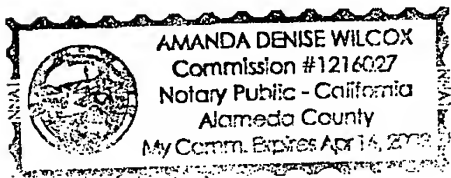
(Official Seal)

Amanda Denise Wilcox

Notary Public

My commission expires

April 16, 2003



COPY ONLY  
DO NOT FORWARD  
TO  
ASSIGNMENT BRANCH

28 Feb 2002  
Date

Bret A. Shirley  
Bret A. Shirley

State of MA

County of Middlesex

I, Claudia D. Palmer, a Notary Public for said County and State, do hereby certify that Bret A. Shirley personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 28<sup>th</sup> day of February, 2002.

(Official Seal)

Claudia D. Palmer  
Notary Public

My commission expires 10-25-07

COPY ONLY  
DO NOT FORWARD  
TO  
ASSIGNMENT BRANCH



March 1st  
Date

Dennis Fordham  
Dennis Fordham

State of California

County of Alameda

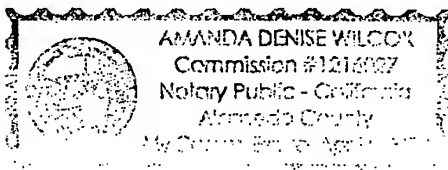
I, Amanda Denise Wilcox, a Notary Public for said County and State, do hereby certify that Dennis Fordham personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 1st day of March, 2002.

(Official Seal)

Amanda Denise Wilcox  
Notary Public

My commission expires April 16, 2003



Attorney Docket No. PP16022.003 (35784/239425)

RTA012112588v1

COPY ONLY  
DO NOT FORWARD  
TO  
ASSIGNMENT BRANCH